

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOAN OCHEI,

Plaintiff,

-against-

THE MARY MANNING WALSH NURSING HOME
COMPANY, INC., d/b/a ARCHCARE AT MARY
MANNING WALSH HOME, CATHOLIC HEALTH
CARE SYSTEM, LUCAS DEDRICK, LOUIS SAMPT
AND RICHARD BISCOTTI,

Defendant.

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STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

AFFIDAVIT OF
JESSICA C. SATRIANO

10-CV-2548 (CM)(RLE)

JESSICA C. SATRIANO, being duly sworn deposes and says:

1. I am an attorney in the law firm of Bond, Schoeneck & King, PLLC, counsel for the Defendants in the above captioned matter. I submit this affidavit in support of the Defendants' motion for summary judgment.

2. Attached hereto as "Exhibit A" is a copy of the Amended Complaint (ECF Document No. 13) that was filed by Plaintiff on or about July 21, 2010.

3. Attached hereto as "Exhibit B" is a copy of the Answer to the Amended Complaint filed on behalf of the Defendants on or about March 15, 2011.

4. Attached hereto as "Exhibit C" is the Defendants' Rule 56.1 Statement.

5. Attached hereto as "Exhibit D" is a copy of this Court's decision and order dated March 1, 2011, which dismissed many of Plaintiff's claims against Defendants The Mary Manning Walsh Nursing Home Company, Inc., Catholic Health Care System d/b/a/ Archcare at

Mary Manning Walsh Home (“MMWH”), Lucas Dedrick and Richard Biscotti, and dismissed the Amended Complaint in its entirety as against individual Defendant Louis Sampt.

6. Attached hereto as “Exhibit E” is a copy of the verified Charge of Discrimination that Plaintiff filed with the U.S. Equal Opportunity Commission prior to commencing this lawsuit.

7. Attached hereto as “Exhibit F” and “Exhibit G” respectively, are excerpts of the transcript of the deposition taken of the Plaintiff on April 5, 2012, and the exhibits used and referred to in such excerpts.

8. Attached hereto as “Exhibit H” is a copy of my letter to this Court dated August 2, 2012, which discusses Plaintiff’s failure to respond to the Defendants’ First Set of Interrogatories and First Set of Requests for the Production of Documents. Copies of these discovery demands are provided as attachments to that letter.

9. Attached hereto as “Exhibit I” is a complete copy of the transcript of the conference held before this Court on July 13, 2012 that is referred to in my August 2, 2012 letter.

10. Attached hereto as “Exhibit J” is a copy of this Court’s order of August 2, 2012 (ECF Docket No. 91), wherein this Court held that Plaintiff is “precluded from offering evidence on the matters comprehended by the [Defendants’] interrogatories” in opposition to Defendants’ summary judgment motion.

11. Even after this Court’s August 2, 2012 order, and continuing to date, no response to Defendants’ First Set of Interrogatories or First Set of Requests for the Production of Documents has been received from Plaintiff.

WHEREFORE, the Defendants' motion for summary judgment should be granted in its entirety.



Jessica C. Satriano

Sworn to before me this
14th day of December, 2012.



Notary Public

CRAIG L. OLIVO
Notary Public, State of New York
Qualified in Nassau Co. No. 020L6025220
My Commission Expires May 24, 20 13